

08.12.2025

Court No.35.

M/L. 130.

Kausik

(Rejected)

CRM (M) 1692 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Domkal Police
Station Case No. 253 of 2023 dated 13.04.2023 under section
368/370/370A/376A/376D/323/506 of the Indian Penal Code,
1860.

And

In the matter of : Nilkantha Das & Anr.

.....Petitioners.

Mr. Arnab Chatterjee

Mr. Avik Ghosh

Mr. Anisur Rahman

Ms. Ankusha Ghosh

.....for the Petitioner.

Mr. Binoy Shaw

Mr. Maidul Islam Kayal

Mr. Noorul Amin Sarkar

Mr. Archisman Singha

.....for the defacto complainant

Mr. Partha Pratim Das

Mr. Atulya Sinha

.....for the State.

Learned advocate appearing for the petitioner submits
that the Petitioner No. 1 is in custody for 1 year and 9 months
and the Petitioner No. 2 is in custody for 2 years and 3 months.
Two other accused persons have already been granted bail.

Petitioners pray for bail as there is no scope of the trial
commencing in near future as the case has not been committed
to the Court of Sessions.

Learned advocate for the State opposes the prayer for bail and submits that the present case is of trafficking. The charges are itself speaking on the said issue and the prosecution would take steps immediately.

Learned advocate for the defacto complainant is also present.

Having regard to the gravity of the offence, at this stage, I am not inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

However, I direct the learned CJM, Murshidabad at Berhampore to immediately take steps for splitting up of the trial and thereafter committing the case to the learned Sessions Judge.

It is further directed that at the stage of supply of copies no unnecessary adjournment be granted to any of the parties and it would be the duty of the learned Magistrate to fix continuous dates for supply of the copies.

The learned Sessions Judge on receipt of the records would expedite the process for consideration of the charges and once the Court is convinced regarding the charges, it would thereafter proceed with the trial of the case and the State would ensure that the victim is examined at the earliest as already

substantial time has passed since the accused are in custody after the case was registered for investigation.

The whole process referred to above be completed within a period of 5 months. Petitioners would be at liberty to renew their prayer for bail before this Court after the aforesaid period is over.

State is directed to communicate this order to the learned CJM, Berhampore as well as the learned District and Sessions Judge, Murshidabad.

Accordingly, CRM (M) 1692 of 2025 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)